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OCT 04 1999
**STATEMENT OF
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OFFICE OF THE GOVERNOR, NEVADA AGENCY FOR NUCLEAR PROJECTS**

**TO THE U.S. DEPARTMENT OF ENERGY
OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT**

**REGARDING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR A GEOLOGIC REPOSITORY FOR THE DISPOSAL OF SPENT
NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE AT YUCCA
MOUNTAIN, NYE COUNTY, NEVADA**

**PRESENTED AT THE PUBLIC HEARING
IN GOLDFIELD, NEVADA
OCTOBER 4, 1999**

The National Environmental Policy Act of 1969 (NEPA) is our basic national charter for protection of the environment. Among its purposes, and of great importance in considering a high-level nuclear waste disposal site at Yucca Mountain, is *"fulfilling the responsibilities of each generation as trustee of the environment for succeeding generations."* The NEPA process, of which this Draft Environmental Impact Statement is a part, *"is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment."* The environment referred to in NEPA includes the human environment, and protection of human health and safety is implicit in the goals of the Act.

The NEPA procedures are designed to *"insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken."* And, the purpose of the NEPA regulations is to assure that federal agencies respond according to the letter and spirit of the Act.

We are here today because the NEPA regulations include the requirement that federal agencies hold hearings to record, and then consider, the comments of the public on EIS's they intend to issue. In the Final EIS, agencies must incorporate these comments, or explain why they did not incorporate them. Agencies must also accept written comments from the public on the Draft EIS's they issue.

1 [In participating in the NEPA process for the proposed Yucca Mountain high-level nuclear waste repository project, it is important to remember that this is not just another federal project. The Yucca Mountain program is entirely unprecedented in its scope, its time frame, the geographical area it encompasses (as a result of the nationwide nuclear materials transportation campaign it requires), and the nature and extent of the potential impacts associated with it. Yet this draft document treats Yucca Mountain as if it were just another dam, pier, or road.]

Given the transportation scenarios contained in the draft EIS, rural Nevada communities such as Tonopah, Goldfield, Beatty, and Amargosa Valley could be more heavily impacted by shipments of radioactive materials destined for Yucca Mountain than any other communities in the country. That is because two of the proposed rail spur routes, at least one of the heavy haul truck routes, and an alternative route for legal weight truck shipments would pass through or very close to these communities. All or nearly all of the spent fuel and high-level waste slated for disposal could be shipped through northern Nye County and Esmeralda County.

According to the Draft EIS, Tonopah, Goldfield and Beatty are potentially affected by construction and operation of the Caliente and Carlin rail corridors. Either of these corridors could

2 [According to the Draft EIS, Tonopah, Goldfield and Beatty are potentially affected by construction and operation of the Caliente and Carlin rail corridors. Either of these corridors could carry between 10,800 and 19,850 rail shipments of spent nuclear fuel (SNF) and high-level radioactive waste (HLW) to the repository. While failing to identify the exact location of the 1/4-mile-wide rail corridors, maps in the draft document indicate that they could be located within 5 to 8 miles of Tonopah, within 4 to 7 miles of Goldfield, and within 2 to 5 miles of Beatty.]

3 [The Draft EIS largely ignores adverse environmental impacts of rail construction and operation on Tonopah, Goldfield, and Beatty. Under certain circumstances, these three communities would be close enough to the repository rail line to require evacuation in the event of a severe accident or terrorist attack. A rail accident or incident releasing radioactive materials would threaten public health and safety and harm the local economy.] [Even without accidents, proximity to the repository rail line could result in adverse socioeconomic impacts due to public perception of risks and the stigmatizing potential of the rail corridor.]

The Draft EIS identifies Tonopah, Goldfield and Beatty as potentially affected by heavy haul truck (HHT) shipments of SNF and HLW from a proposed intermodal transfer facility at Caliente.. There could be 10,800 to 19,850 HHT shipments along US 6 and US 95. The Draft EIS assumes an average of 11 loaded trips per week from Caliente to Yucca Mountain, and 11 return trips of empty casks per week. The analysis of HHT impacts is seriously deficient for several important reasons:

10 First, [the document fails to demonstrate the feasibility of large-scale, long-term HHT shipments of SNF and HLW in large rail casks, weighing 125 tons or more, over hundreds of miles, on public highways, on a regular basis. The HHT transport system proposed by DOE is completely unprecedented.]

11 Second, [the Draft EIS fails to demonstrate the feasibility of transporting heavy rail casks on 100-150 foot-long trailers through Hancock Summit, Tonopah, Goldfield, and other problem areas along the Caliente Route. The actual cost of upgrading this route could be three to ten times greater than the DRAFT EIS estimate of \$120 million.]

5 Third, [the document grossly underestimates HHT routine radiation doses to members of the public along the route, particularly in Tonopah and Goldfield. Stop-times and reduced speeds due to intersections, sharp curves, school zones, and other local conditions could result in significant cumulative exposures within 150 yards of the highway.]

6 Fourth, [the Draft EIS underestimates the consequences of severe accidents and terrorist/sabotage incidents involving HHT shipments through Tonopah, Goldfield, and Beatty. The close proximity of the highway to hotels, casinos, retail businesses, schools, churches, and residences, would increase human health effects in the event of an accident or incident involving loss of cask containment or shielding. Proximity to the route would increase the economic consequences of a HHT accident or incident, even one involving no loss of cask integrity.]

7 Fifth, [the Draft EIS ignores the potential for significant adverse socioeconomic impacts along HHT routes due to public perception of risk and stigma effects. Such impacts could include reduced property values, reduced income for existing businesses, and loss of new investments.]

8 [The Draft EIS also ignores the potential impacts on Tonopah, Goldfield, and Beatty of legal-weight truck (LWT) shipments of SNF and HLW. US 6 from Ely to Tonopah and US 95 from Tonopah to Amargosa Valley are identified as potential state-designated preferred routes in Appendix J. According to the Draft EIS, there could be as many as 96,000 LWT shipments to the repository

under the mostly truck scenario. The adverse impacts of these shipments would be similar to those of HHT shipments. The larger number of LWT shipments, averaging 5 to 10 trucks or more per day, could result in higher routine radiation exposures and heightened levels of risk.]

9

The State of Nevada will be submitting extensive written comments on this Draft Environmental Impact Statement for a high-level nuclear waste repository at Yucca Mountain. [It is our hope that these comments and those of all others will be seriously considered, and that a reasonable No Action alternative (as opposed to the unreasonable and unrealistic ones contained in the draft document) is selected as the preferred action in the Final Environmental Impact Statement.]